

BILL NO. S-78-09-29

SPECIAL ORDINANCE NO. S-*Ord 1000*

AN ORDINANCE amending certain sections of
Chapter 24 "Sewer and Sewerage Systems"
so as to increase the rates prescribed.

WHEREAS, it is necessary to increase the rates charged for use
of the Water Pollution Control Service owned and operated by the City
for the benefit of its inhabitants and of the inhabitants of the surround-
ing area who take advantage of its existence, in order to pay the increased
operating expenses and other costs incidental to the operation and mainten-
ance of the newly expanded Water Pollution Control Treatment Plant.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 24 of the Municipal Code of the City of
Fort Wayne, Indiana, 1974 is amended to be and read as follows:

ARTICLE VII. USER CHARGES

701. User Volume Charges. The water usage schedule upon which charges
for services rendered by the Sewer Utility shall be based on water
consumption unless otherwise metered or exempted in accordance with
the following user classifications and the following charges for
services for each such classification:

Service Charge (cents per 100 cu. ft.)	Class of User	
	Domestic	Manufacturing
Treatment	17.8	17.8
Conveyance, Collection, Billing	17.3	11.3
Capital	11.1	8.4
Total User Charge	<u>46.2</u>	<u>37.5</u>

702. User Minimum Charges. In the event the monthly sewage service charge
calculated in accordance with the water consumption schedule exhibited
above does not exceed the minimum monthly charge for each class of
user as set forth hereafter, user shall pay said minimum monthly
charge in lieu of the charge calculated based on water usage.

1 Water Meter Size

Minimum Monthly Charge

2 5/8 - 3/4"

\$ 2.72

3 1 - 1 1/2"

5.16

4 2"

16.65

5 3"

33.44

6 4"

55.58

7 6" or larger

154.39

8 703. User Flat Charges. In the event any user is not a metered water
9 customer, there shall be imposed flat charge rates as follows:

10 Classification of Customer

Monthly Flat Charge (1)

11 Domestic User - Single Family Residence

\$6.70

12 Domestic User - Multi Family Residence

To be estimated by City

13 Commercial & Industrial User

To be estimated by City

14 (1) Subject in addition, if applicable, to zone surcharge.

15 Estimates of monthly flat charges for multi-family residences shall
16 be based on the number of family units accommodated by the system
17 multiplied by the single family residence monthly charge.

18 Estimates of monthly flat charges for commercial and industrial
19 establishments shall be either estimated based on number of employ-
20 ees, manufacturing processes used and other pertinent sewer use in-
21 dicators or based upon outfall measurements where available.

22 704. Regional Contract Sewage Treatment Charges. In the event the City
23 consummates a contract to serve as a regional treatment plant for
24 any other municipality or private sewage utility, either contiguous
25 to the City or in its environs, said contract shall provide for the
26 following unit charges:

27 Volume Charge (cents per 100 cu. ft.)

28 Treatment

17.8

29 Capital Charge

11.1

23.9

30 Variable Charge (cents per 100 cu. ft.)

31 A variable charge for conveyance and collection costs attributable
32 to that portion of the conveyance system and operating costs associated
33 therewith used by the contract customer shall be computed by the City
34 and added to the volume charge.

1 Flat Charge

2 In addition to the foregoing charges based on volume of sewage
3 treated and conveyed each contract customer will pay a monthly
4 billing charge of \$.50 and a monthly surveillance charge of \$75.00.

5 Excess Strength of Waste Surcharge

6 In the event a contract customer contributed waste having a strength
7 in excess of domestic waste characteristics, as hereinbefore defined,
8 a surcharge based on the following unit process charge will be in
9 effect for all waste found to be in excess of limitations:

	<u>Cents Per Pound</u>
Suspended Solids - (SS)	3.131
Biological Oxygen Demand - (BOD)	3.736
Phosphorus - (P)	35.154

13 Capital Surcharge

14 In the event contract customer delivers sewage for treatment to
15 City for a period of 90 consecutive days which is in excess of base
16 MGD contracted for, then customer will be subject to an additional
17 capital charge computed at the capital charge (per 100 cu. ft.)
18 then in effect times the excess percentage of MGD represented by
19 dividing actual MGD by contracted MGD.

20 Zone Surcharge

21 The total of foregoing charges for which any contract customer will
22 be liable to City hereunder may be increased by the zone surcharge
23 rate set forth in Article IX hereafter if said contract customer
24 qualifies by reason of location.

25 Other Provisions

26 In the event sewage received pursuant to any contract entered into
27 under this section exceeds any of the limitations imposed by Chapter 24,
28 the City shall have the right to impose all charges, limitations and
29 penalties applicable to any non-contract user served by the City.
30 Each contract entered into by the City pursuant to the foregoing rate
31 classification shall provide that contract customer shall agree to
32 enact and maintain a Sewer Use Ordinance, Industrial Cost Recovery

System and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204B(1), Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35.905-8, 35.928-1 and 35.928-2, and 35.935-13.

705. Bulk Waste Charges.

Industrial - For all industrial waste picked up from customer and hauled in City's vehicles to plant - \$148.75 per load.

Domestic - For all domestic waste delivered to plant by customer's truck or tank - \$21.75 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity.

706. Annual Review of Service Charges. Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose will submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD, suspended solids, and phosphorus from the sewage treatment plant influent during the previous calendar year, with the unit charges currently in effect, in order that the Board may determine whether the current service charges and surcharges are adequate or should be changed. The methodology utilized in developing this cost comparison shall include:

1. A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each user class.
2. Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost of all treatment works operation and

1 maintenance provided by the Utility, including cost of management,
2 system repair and replacement, debt retirement and other costs
3 incidental to the Utility operation, attributable to such class:
4

5 ARTICLE VIII. STRENGTH-OF-WASTES SURCHARGE

6 801. Liability for Surcharge. Each user discharging wastes into the
7 sewerage system shall be subject to a strength of wastes surcharge,
8 in addition to other sewage service charges imposed by this ordinance,
9 based on the following minimum strength characteristics to the extent
10 that such wastes are in concentrations greater than as follows:

- 11 a. Biochemical oxygen demand of 220 milligrams per liter
- 12 b. Chemical oxygen demand of 440 milligrams per liter
- 13 c. Suspended solids content of 250 milligrams per liter
- 14 d. Phosphorus content of 10 milligrams per liter

15 802. Computation of Surcharge. The surcharge shall be determined as
16 follows:

- 17 a. The excess pounds of BOD or COD (whichever results in the higher
18 charge, suspended solids, and phosphorus will each be computed
19 by first multiplying the user's billing sewage volume measured
20 in units of 100 cubic feet for the current billing period by
21 the factor 0.0062321 and then multiplying this product by the
22 difference between (a) the concentrations measured in milligrams
23 per liter of the BOD (or COD), suspended solids, and phosphorus
24 respectively in the user's sewage and (b) the allowed concentra-
25 tions set out in paragraph 801. The surcharge for each consti-
26 tuent will then be determined by multiplying the excess pounds of
27 each constituent by the appropriate rate of surcharge set out in
28 paragraph 803. In the event COD measurement is used, as herein-
29 before provided, 50% of the excess pounds measured will be used
30 to compute the equivalent BOD charge.

31 803. Rates of Surcharge. The rate of surcharge for each of the afore-
32 mentioned constituents shall be as follows:

- 1 a. For biological oxygen demand (BOD) 3.136 CENTS PER POUND
2 b. For suspended solids (SS) 3.131 CENTS PER POUND
3 c. For phosphorus (P) 35.754 CENTS PER POUND

4 804. Waste Evaluation Charges. All users discharging wastes into the
5 system requiring continuing surveillance, sampling and waste
6 evaluation shall be subject to a monthly fixed charge to cover
7 the costs of such services in the amount of \$75.00 per discharge point.

8 805. Revision of Rates of Surcharge. Prior to May 1 of each year, the
9 General Auditor of the City Utilities and an independent certified
10 public accountant employed for that purpose shall submit to the
11 Board of Public Works a comparison of the calculated unit costs for
12 removing BOD, suspended solids, and phosphorus from the Sewage
13 Treatment Plant influent during the previous calendar year with the
14 unit charges currently in effect in order that the Board may determine
15 whether the current rates of surcharge are adequate or should be
16 changed and request legislative enactment of said changes by the
17 Common Council.

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19 ARTICLE IX. ZONE SURCHARGE

20 901. The charges for sewerage services rendered to users situated outside
21 the primary zone of the City of Fort Wayne shall be 136% of the
22 charges collected from users for the same services rendered within
23 the primary zone as defined and described in the map attached hereto
24 and made a part of this ordinance. The purpose of this surcharge is
25 to recover funds contributed from civil city tax levies used hereto-
26 fore to construct facilities of the sewage works located within the
27 primary zone. This surcharge shall terminate on December 31, 1981
28 or after collections therefrom shall equal \$990,000.00 whichever
29 occurs sooner.

30
31 ARTICLE X. BILLING OF SERVICE CHARGES

32 1001. Billing Period. Charges for sewerage service shall be prepared and

1 billed by the General Office of the City Utilities along with the
2 bills for water service and shall be payable at the General Office
3 at the same time as the water bills.

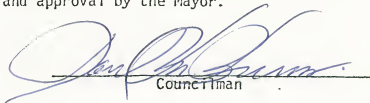
4 1002. Liability for Payment. The charges for sewerage service shall be
5 billed to the person being billed for water service unless, by
6 contract with the Utility, another person assumes such responsibility.
7 If a tenant is billed, the owner shall in no way be relieved of
8 liability in the event payment is not made by the tenant as herein
9 required. Such owner shall have the right to examine the City's
10 collection records to ascertain whether such charges have been paid.

11 1003. First Billings. The rates, charges and surcharges fixed in this
12 ordinance shall be extended to and cover any additional premises
13 hereafter served without the need for any hearing or notice. If the
14 first billing to a new user covers a period other than a full billing
15 month, then the service charges for such billing shall be made in
16 keeping with standard practice in the Water Utility. Subsequent
17 sewerage service billings shall be for periods coinciding with the
18 billing periods for water service. If such rates, charges and/or
19 surcharges are changed, the first billing after such change may also
20 be for a period other than a full billing month in order to keep the
21 sewerage billing periods coincident with the water billing periods.

22 1004. City Subject to Charges. For sewerage service rendered to the City,
23 the City shall be subject to the same rates and charges herein
24 established for other persons or to rates and charges established
25 in harmony herewith.

26 1005. Consolidation of Accounts. Where an industrial, commercial or other
27 non-residential enterprise is operating in a unified manufacturing
28 or service area composed of two or more contiguous parcels of real
29 estate and is supplied with water through two or more meters, upon
30 application by the owner or his authorized agent, a consolidation of
31 the water meter readings shall be made for the purpose of calculating
32 the sewerage service charge.

1 SECTION 2. That this Ordinance shall be in full force and
2 effect upon passage and approval by the Mayor.

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4 
5 Councilman
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9 ***Public hearing set for Tuesday, June 27, 1978 at 7:30 o'clock, P.M., E.S.T.
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25 *Approved as to form and legality*
26 *John H. Logan*
27 *Attorney for the Common Council*
28 *of the City of Font Wayne, Indiana*
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Read the first time in full and on motion by Burns, seconded by

Hings, and duly adopted, read the second time by title and referred to the Committee on City Utilities (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E. S. T.

DATE: 9/12/78

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>HINGA</u>	_____	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	_____	_____
<u>MOSES</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: _____

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19____, ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E. S. T.

CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E. S. T.

MAYOR

Withdrawn 76

Bill No. S-78-09-29

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance
amending certain sections of Chapter 14 "Sewer and Sewerage Systems" so as to
increase the rates prescribed

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance *Withdrawn* PASS.

PAUL M. BURNS - CHAIRMAN

JAMES S. STIER - VICE CHAIRMAN

VIVIAN G. SCHMIDT

WINFIELD C. MOSES, JR.

FREDRICK R. HUNTER

9-26-78
CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK



VICE PRESIDENT OF THE COMMON COUNCIL

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Winfield C. Moses, Jr. -- Councilman Fifth District -- 323 Northeast Drive 46825

September 11, 1978

RE: S-78-06-35 Sewer Rates

Councilmembers:

To provide foreknowledge, the path to be followed concerning the reconsideration of Bill S-78-06-35 is as follows:

1. The reconsideration vote is the first business of the evening.
2. Motion to suspend the rules - This will allow introduction of amendments to the bill to reduce the proposed rates approximately \$400,000.00. It will also save an additional two weeks of legislative effort.
3. Motion to amend - Mr. Bernard Perry has provided a revised rate schedule to produce the proposed reduction. This professional assistance does not indicate his approbation. The amendment would be the new schedules.
4. Roll call on the amended ordinance.

If the motion to suspend the rules fails, and it must be unanimous, it will be necessary to vote no to this ordinance and introduce a new ordinance to effect the reduction. Enclosed in your packet is such a new ordinance. This method would require a two week wait with additional advertising and public hearings. I hope everyone agrees this is a less acceptable method than simply amending the bill.

Win Moses

TITLE OF ORDINANCE SPECIAL ORDINANCE -- WASTE TREATMENT COST RECOVERY REPORT - REVISION OF RATE STRUCTURE

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

SYNOPSIS OF ORDINANCE REVISION OF THE RATE STRUCTURE OF THE WPC UTILITY AS PER ATTACHED SCHEDULE "A" AS PROVIDED FOR IN GENERAL ORDINANCE G-28-77 ON USER CHARGE SYSTEM AND THE INDUSTRIAL COST RECOVERY SYSTEM AND AMENDED CHAPTER 24 AND NEW CHAPTER 34 OF THE FORT WAYNE MUNICIPAL CODE.

(ATTACHMENT "A" ENCLOSED HERewith)

EFFECT OF PASSAGE WILL ASSURE THE FINANCIAL STABILITY OF THE WPC UTILITY

EFFECT OF NON-PASSAGE JEOPARDIZE THE FINANCIAL STABILITY OF THE WPC UTILITY

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) NO CITY FUNDS

ASSIGNED TO COMMITTEE _____